

UNITED STATES DISTRICT COURT
EASTERN DISTRICT of TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
) 1:15-cr-39
)
v.)
) Judge Collier
ROBERT R. DOGGART) Magistrate Judge Lee

JOINT MOTION TO CONTINUE TRIAL AND OTHER DATES

Comes the parties, the United States of America through William C. Killian, United States Attorney for the Eastern District of Tennessee, Assistant United States Attorney Perry H. Piper, and Saeed A. Mody, Trial Attorney, Civil Rights Division, and the defendant, Robert R. Doggart, through counsel, Bryan H. Hoss, and hereby move for a continuance of the trial date and the other dates in the Court's Discovery and Scheduling Order.

Currently this matter is set for trial on September 21, 2015. The defendant (joined by the government) recently moved to have the case declared complex. The Court denied that motion, but stated it would entertain a motion to continue the case and asked the parties to submit an agreed upon date to the Court. The parties contacted the Court's chambers; the Court suggested that January 19, 2016, would be an appropriate date for trial.

The parties have sought a longer than usual continuance for two reasons. First, there has been much material gathered in this case. FBI Agents seized a

computer from the defendant's residence. The contents of the computer, including the hard drive, were sent to the FBI's CART division for copying and analysis. According to one of the case agents, the hard drive contains 800 gigabytes of information. While certainly not all of that information will be relevant, it will require a lengthy review to comb through that material by the government. Additionally, the defendant will also need much time to review the contents of the hard drive. Also, the contents of the wiretap and the information received from various search warrants will also require time for the defendant to thoroughly review the material. Second, one of the government lawyers in this case, Saeed Mody, has another trial set before this Court in November, 2015. The Court has ruled it complex.

The United States submits that the ends of justice served by the granting of this continuance outweigh the interests of the defendant and the public in a speedy trial. Title 18 U.S.C. § 3161(h)(7)(A). The United States further submits that the decision to grant a continuance under the Speedy Trial Act and the accompanying decision to exclude as delay from the Speedy Trial Act computation is left to the sound discretion of the trial court. *United States v. Strickland*, 342 F. App'x 103, 110 (6th Cir. 2009).

Accordingly, the parties respectfully request that the trial date in this matter be set for Tuesday, January 19, 2016. The defendant has requested that the plea deadline in this case be set on December 8, 2015.

Respectfully submitted,

WILLIAM C. KILLIAN
United States Attorney

s/ Perry H. Piper
Perry H. Piper
Assistant United States Attorney

s/ Saeed A. Mody
Saeed A. Mody
Trial Attorney
Civil Rights Division

s/ Bryan H. Hoss
Attorney for Defendant (with
permission)

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2015, a copy of the foregoing motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ Perry H. Piper
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